

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CV 09-1036 LH/KBM  
CR 06-0344 LH

JOSEPH MILES DAVIS,

Defendant.

**ORDER**

This matter is before the Court on Defendant's motion to vacate, set aside, or correct sentence. Pursuant to 28 U.S.C. § 2255 R.4, the Court will order the United States to answer Defendant's motion.

IT IS HEREBY ORDERED that the Clerk shall forward to the United States Attorney a copy of Defendant's motion to vacate, set aside, or correct sentence and supporting papers and exhibits, if any, together with a copy of this Order.

IT IS FURTHER ORDERED that, to avoid conflicting schedules with the Thanksgiving holiday, the United States answer Defendant's motion to vacate, set aside, or correct sentence by Friday, December 4, 2009.

IT IS FINALLY NOTED that Defendant is counseled and his attorney was granted permission to appear pro hac vice.

  
UNITED STATES MAGISTRATE JUDGE